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SUMMARY RECORD OF THE 126th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 13 November 1992, at 10 a.m.

Chairman: Mr. VOYAME

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The meeting was called to order at 10.05 a.m.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 2) (continued)

1. The CHAIRMAN welcomed Mr. Dipanda Mouelle on his return and congratulated him on his re-election as President of the Supreme Court of Cameroon.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 19 OF THE CONVENTION (agenda item 4) (continued)

Initial report of New Zealand (CAT/C/12/Add.2)

2. At the invitation of the Chairman, Mr. Bisley, Mr. Rider, Ms. Bilkey and Ms. Barker (New Zealand) took places at the Committee table.

3. Mr. BISLEY (New Zealand) said that New Zealand had been an enthusiastic supporter of the original adoption of the Universal Declaration of Human Rights and, since that time, had been firmly committed to the elaboration and implementation of the body of international instruments adopted by the United Nations to give binding effect to the articles of the Universal Declaration.

4. During the period under review, and before and after that period, there had been no reports of any person being subjected to an act of torture in New Zealand. Allegations of torture were rarely, if ever, made. New Zealand's accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was the expression of a commitment not to tolerate torture in New Zealand and to support international efforts to eradicate torture and similar practices elsewhere.

5. As there had not been any significant developments in New Zealand relating to the Convention since the submission of the report, he would concentrate on providing an overview of how the Convention was given effect in New Zealand law and would also refer to some recent cases which demonstrated how the New Zealand Bill of Rights Act 1990, which prescribed the right of every New Zealander not to be subjected to torture, had been applied by the New Zealand courts.

6. New Zealand's implementation of its obligations under the Convention operated at three levels. First, there were statements of principle contained in the New Zealand Bill of Rights Act 1990 which reflected in New Zealand law the rights set out in the International Covenant on Civil and Political Rights. Section 9 of the Bill of Rights Act read: "Everyone has the right not to be subjected to torture, or to cruel, degrading or disproportionately severe treatment or punishment". Those principles formed the background against which the laws of New Zealand were interpreted and implemented. Secondly, there were the provisions of the criminal law, particularly the Crimes of Torture Act 1989, which prescribed offences and penalties for the commission of torture or any other act of brutality against the person. Thirdly, there were the various statutory, regulatory and administrative procedures available for the investigation of complaints of misconduct on the part of public officials, including the police. Those procedures ensured that persons who considered that they had been ill-treated could be confident that

any complaint indicating that an act of oppression or ill-treatment by the police, prison staff or other persons in authority would be independently investigated.

7. As explained in paragraphs 1.11 and 1.12 of the report, the Bill of Rights Act 1990 had been the result of a compromise in that, in accordance with New Zealand's constitutional arrangements, the Act was part of the ordinary statute law and could not be used by the courts to strike down or hold invalid other laws that were inconsistent with its provisions. Rather, it required that, to the extent possible, other legislation was to be interpreted in a manner consistent with the rights and freedoms set out in its provisions. In addition, the Act provided that those rights and freedoms were to be subject only to such reasonable limits as were prescribed by law and were justified in a free and democratic society.

8. The provisions of the Act had received careful judicial scrutiny in a number of important cases, particularly relating to the right to legal representation for persons detained by the police. As a consequence of a number of cases involving blood alcohol offences, prosecutions brought against persons who had not been adequately informed of their rights to legal representation under the terms of the Bill of Rights Act had been dismissed and the police had been required to amend their procedures when detaining such persons. Following those cases, the New Zealand Law Society had established a roster of lawyers who were prepared to be available at short notice and at night to provide legal advice to persons detained on suspicion of driving with excess blood alcohol levels.

9. In the Narayan case, the Court of Appeal had held that a serious breach of the New Zealand Bill of Rights Act had occurred in the questioning of a man suspected of murder. In that case, the court had found that a confession by an accused who had spoken very limited English, made before the accused had been informed of his right under the Bill of Rights Act to consult a lawyer and through an interpreter who had also been a member of the police was not admissible as evidence. As a consequence, the accused had been released.

10. Although none of those cases concerned section 9 of the Act on the right not be subjected to torture, they demonstrated that the courts were prepared to give full effect to the Act's provisions. The decision in the Narayan case was also a powerful indication that, in addition to the provisions described in paragraph 15.1 of the report on the admissibility of evidence obtained through coercion, the courts would be likely to use section 9 of the Act to rule inadmissible any confession obtained by the use of torture.

11. The New Zealand authorities had concluded that, because of the particular character of the crime of torture, it had been appropriate to enact special legislation to give effect to the Convention in New Zealand. The Crimes of Torture Act 1989 had been the result. It defined torture in terms that closely followed those of article 1 of the Convention against Torture. It provided the necessary jurisdictional basis for compliance with the requirements of article 5 and amended New Zealand's extradition statutes so as to ensure that the principle of "extradite or prosecute" contained in articles 7 and 8 could be implemented.

12. Buttressing the Crimes of Torture Act were the provisions of general criminal law, particularly the Crimes Act 1961, which provided penalties for such crimes as murder, wounding with intent and assault. Its provisions would be more likely to be used in prosecuting an offender where the motivation for inflicting harm on the victim might be uncertain or difficult to establish, thereby ensuring that, even in such circumstances, the perpetrator could be properly punished.

13. In addition to the provisions of general criminal law, there were special provisions regulating the conduct of officials entrusted with the custody of individuals. The police, prison officers, armed services personnel and social welfare and health officials were all subject to special duties and responsibilities regarding the care of and respect for the persons in their custody. Disciplinary provisions existed for breaches of those duties and responsibilities.

14. Any allegation of torture would normally be investigated by the police, but, as such allegations were sometimes levelled at police officers themselves or other public officials who had custody of individuals, there were a number of special procedures for the investigation of alleged misconduct by the police and other public officials. The results of such investigations could serve as the basis for prosecution under the Crimes of Torture Act.

15. As there had not been any incident or any report of torture having occurred in New Zealand, it could confidently be said that New Zealand authorities had not experienced any practical difficulties with the interpretation and application of the Convention. The one area where some concern had been expressed, although outside the period under review, related to the requirements of article 3 of the Convention on the treatment of persons arriving in New Zealand from other countries.

16. The New Zealand authorities noted that, in respect of refugee applicants, there was a certain lack of clarity about the implementation of articles 2, paragraph 2, and 3 of the Convention in relation to article 33 of the Convention relating to the Status of Refugees. Nevertheless, the practice of the New Zealand authorities was that no refugee applicant should be expelled or returned to a place where there were substantial grounds for believing that he would be in danger of being subjected to torture. As noted in paragraph 3.6 of the report, the New Zealand authorities were satisfied that the steps taken during the period of the Gulf War had been justified and that the appropriate safeguards had been applied.

17. New Zealand was aware that its obligations under article 3 of the Convention were not confined to persons who met the definition of a refugee, but also extended to persons with well-founded fears of torture on grounds other than those listed in the Convention relating to the Status of Refugees. Such individuals could institute special immigration procedures which might allow temporary or permanent residence on humanitarian grounds. Applicants for permanent residence might qualify if their circumstances were such as to cause serious physical or emotional harm to themselves or to a New Zealander. In addition, nationals of countries which were engulfed in serious conflicts and in which there was a serious danger of being subjected to torture could seek temporary residence under special country-specific programmes.

18. A final course of action was provided for in procedures allowing an appeal to the Minister of Immigration to stop deportation if there were exceptional circumstances of a humanitarian nature such that a person's removal from New Zealand would be unjust or unduly harsh.

19. New Zealand's law and administrative arrangements ensured full and proper protection against the commission of acts of torture and provided for the investigation of any allegations of torture having taken place in New Zealand. In addition, under the Crimes of Torture Act 1989, New Zealand could either prosecute or extradite any person found in New Zealand who was alleged to have committed an act of torture beyond New Zealand's borders.

20. He would be happy to answer any questions the Committee might wish to raise in connection with the report.

21. Mr. EL IBRASHI (Country Rapporteur) expressed appreciation for the excellent New Zealand report and introduction. If all reports were like that one, the Committee would be spared an enormous amount of work.

22. He was pleased to note that, as stated in paragraph 1.3 of the report, no one had been convicted of or charged with committing an act of torture in New Zealand. The procedure for incorporating the Convention against Torture into domestic law, set out in paragraph 1.8, was most satisfactory and there were, indeed, many similarities between the Convention and the Crimes of Torture Act 1989.

23. Turning to paragraph 1.15, which referred to the fact that, in some circumstances, an accused might elect to be tried before a judge without a jury, he asked what those circumstances might be, although he assumed that they excluded cases of torture. Paragraph 1.16 spoke of a Court of Appeal. What was its jurisdiction and did it just rule on the facts or could it also review legal matters? Paragraph 1.17 referred to a special tribunal. How was it established and what was its composition? Were posts filled by regular judges and who appointed them? What was their jurisdiction?

24. Concerning remedies available to victims of torture (para. 1.19), could a victim of police torture apply to a legal entity directly or must he first turn to the Police Complaints Authority? After all, the police was a party in cases of such complaints.

25. With regard to redress for victims of torture, New Zealand had made a reservation to article 14 of the Convention and paragraph 14.3 of the report stated that the Government of New Zealand reserved the right to award compensation to torture victims referred to in article 14 of the Convention only at the discretion of the Attorney-General of New Zealand. He asked what was meant by "the discretion of the Attorney-General". Was there not a contradiction between that reservation and the right of a victim to bring a civil action against a person who had committed an act of torture? He assumed that, if the Attorney-General did not agree or did not institute proceedings for awarding compensation to a victim, the victim could still bring an action before a civil court. According to paragraph 1.20 of the report, the court had the scope to order the perpetrator of an act of torture to pay compensation; he wished to know whether the court could do so of its own

accord or whether the Attorney-General had a role to play. Had a ceiling been set on compensation? Could civil and criminal actions for compensation be brought simultaneously or must they be separate?

26. Mr. GIL LAVEDRA (Alternate Country Rapporteur) thanked the New Zealand representatives for their very complete and exhaustive report, which enabled the Committee to have an idea of the situation in New Zealand.

27. Concerning the administration of justice, on the basis of what elements were the judges referred to in paragraph 1.14 appointed? Were the judges referred to in paragraph 1.16 appointed specifically to hear such cases or had they already been appointed beforehand? In other words, was a special court set up just to hear those cases?

28. In paragraph 1.18, it was stated that, of the 491 complaints received asserting the unlawful use of force by police officers, there had been only one conviction. He found that surprising.

29. Did paragraph 2.4 of the report, which stated that no proceedings for the trial and punishment of a person charged with torture could be instituted without the consent of the Attorney-General, mean that a person responsible for an act of torture could not be judged without the Attorney-General's consent? On what basis did he give that consent? What degree of discretionary power was involved?

30. According to paragraph 2.11, the Police Complaints Authority could choose to take no action where the complainant had had knowledge of the matters under complaint for more than 12 months. Was that a statute of limitations?

31. As to paragraph 3.5 on refugee procedures, the report explained that there could be a discrepancy between article 33 of the Convention relating to the Status of Refugees, which made an exception for persons regarded as a danger to national security, and article 3 of the Convention against Torture, which did not. The New Zealand representative had stated that the practice of the New Zealand authorities was to take account of the wider scope of the Convention and he inquired whether there was a legal basis for doing so.

32. Concerning jurisdiction over offences, he agreed that the Crimes of Torture Act complied with the requirements of article 5, paragraph 1 (a) and (b), of the Convention, as stated in paragraph 5.1 of the report, or, in other words, with the principle of active nationality. But what about passive nationality? Paragraph 5.2 of the report stated that passive nationality would not be applicable. Why did the Crimes of Torture Act not follow the Convention against Torture? The same thing occurred with regard to article 7, which referred to the principle of universality or the possibility of applying the law of the State, regardless of the jurisdiction in which the act of torture had been committed. Why had the relevant provisions of the Convention not been taken into account when the Crimes of Torture Act had been drafted?

33. Section 9 of the Crimes of Torture Act 1989, referred to in paragraph 8.4 of the report, and providing for the extradition of a person to another party to the Convention on the condition that that other party had concluded an

extradition treaty with New Zealand or was a Commonwealth country, was at variance with article 8, paragraph 2, of the Convention, which made extradition subject to other conditions provided by law.

34. He noted from paragraph 14.3 that the Government reserved the right to award compensation to torture victims only at the discretion of the Attorney-General. What criteria did the Attorney-General apply in that regard? He would like to have some further explanation of the basis for the reservations to article 14 of the Convention.

35. Paragraph 6.1 stated that section 315 of the Crimes Act 1961 provided that any police constable could arrest and take into custody without a warrant any person whom the constable had good cause to suspect of having committed an offence punishable by imprisonment. For how long could a person be detained in those circumstances and when must he be brought before a judge? The Crimes Act provided that that must be done as soon as possible, but precisely how soon did that mean? It was stipulated in the Bill of Rights that a prisoner must be released in reasonable conditions. What did the term "reasonable" mean in that context? He further wished to know whether a person could be held incommunicado and if so, on what grounds. Lastly, what was the minimum age limit for the punishment of juvenile offenders?

36. Mr. SORENSEN joined in commending New Zealand on its excellent report and the other material provided.

37. On the question of education and training of the police, as referred to in paragraph 10.2 of the report, it was important for the border police in particular to be made aware that torture victims seeking asylum were usually reluctant to talk about their sufferings, but were, on the contrary, frequently ashamed of them. Some countries had found it useful to educate the border police accordingly. He had great respect for the New Zealand Medical Association referred to in paragraph 10.9, but it might be useful in the medical field, too, to provide some more specific education about torture and to publicize opportunities for the rehabilitation of torture victims. He could provide the delegation with some material on the subject if it so desired.

38. The State party had provided a good description of what was being done under article 11 of the Convention. Paragraph 11.4 referred to the care of persons who were held involuntarily because it had been found that they were mentally disordered. In all countries, such persons constituted the weakest part of society and society could be judged by its treatment of those unfortunate people. On what grounds could they be held involuntarily in New Zealand? In many countries, they could be so held only because they were a danger to themselves or others. He noted that the superintendent of a psychiatric hospital or licensed institution was required to keep the case of every committed patient in the hospital under review and to consider as often as practicable whether the patient should cease to be a committed patient. Was the review carried out solely by the superintendent himself or was there a committee for the purpose? It would be most interesting to see a copy of the new mental health legislation to which reference was made at the end of paragraph 11.4.

39. It was stated in paragraph 14.1 that compensation in respect of ordinary damages had been taken over by the State through the Accident Compensation Corporation. Was the emotional harm referred to in paragraph 14.2 regarded as ordinary damage and therefore eligible for compensation by the State without the need to bring a case against the offender?

40. He associated himself with the comments made by other members of the Committee on paragraph 14.3. It was most unlikely that anyone would be tortured in New Zealand itself, but some of the many refugees who had obtained asylum in New Zealand were survivors of torture elsewhere. Would such persons have a right to medical rehabilitation and were there any centres for the purpose?

41. On paragraph 11.3, which referred to the placement of children or young persons in detention, he asked at what respective ages a person was considered a child, a young person and an adult.

42. Mr. MIKHAILOV expressed appreciation for the report and its excellent layout.

43. Referring to paragraph 1.7, he asked what precise criterion was used to distinguish between an offence and a crime under the Crimes of Torture Act 1989. Reference was made in paragraph 1.15 to imprisonment for 14 years or more. What was the minimum length of punishment and what was the practice of judges in determining the length of sentence? He noted from paragraph 6.3 that section 316 (5) of the Crimes Act provided that any person arrested on a charge of an offence against the Crimes of Torture Act must be brought before a court as soon as possible to be dealt with according to law. Would "as soon as possible" mean within 24 hours, for example, or a longer period?

44. Paragraph 8.2 stated that it would be difficult to regard the Convention as itself constituting sufficient legal basis for extraditing a suspected offender to a non-Commonwealth country with which New Zealand had no extradition treaty. Did that mean that domestic law was, or was not, in line with the provisions of the Convention? Was there any section in the Faculty of Law, for example, that was concerned with the campaign against torture?

45. Mr. BEN AMMAR said that the Convention on the Rights of the Child did not appear among the instruments to which New Zealand was a party and which were listed in paragraph 1.9. A number of articles of that Convention contained specific provisions for the prevention of child abuse.

46. Was the competence of the Human Rights Commission referred to in paragraph 1.10 (b) restricted to investigations of acts of discrimination, as specified in that paragraph, or did it extend to the protection of human rights? If so, what steps could that Commission take as a result of its investigations? If its competence was restricted to the areas mentioned, did any other commission exist to investigate broader human rights problems?

47. He would be glad to receive a copy of the Police "Values Statement" referred to in paragraph 10.2, together with a copy of the Police Regulations 1959, referred to in paragraph 12.1. The section of the report relating to article 10 of the Convention did not refer to education and

training in the Faculty of Law. Lawyers and members of the judiciary trained in that Faculty should be better informed about the means available for defending citizens. Had New Zealand taken any steps in support of the draft optional protocol providing for visits to places of detention?

48. Mr. KHITRIN joined in commending the New Zealand delegation on the excellent report and its oral introduction.

49. Referring to paragraph 1.10 (e), he asked how many murders for which life imprisonment had been imposed had been committed during the past three years and how many people had died in prison during the past 5 or 10 years. On paragraph 1.14, for how long was a High Court judge appointed and how and by whom was he replaced if he committed any offence? With respect to the provision in section 315 of the Crimes Act 1961 referred to in paragraph 6.1, and stating that any police constable could arrest and take into custody without a warrant any person whom the constable had good cause to suspect of having committed an offence punishable by imprisonment, he asked who was responsible for monitoring the activities of policemen to ensure that they did not act in an arbitrary way and for how long a constable could detain a citizen.

50. On paragraph 10.4, what were the functions, rights and obligations of members of the armed forces involved in intelligence work?

51. The CHAIRMAN, speaking as a member of the Committee and referring to paragraphs 3.5 and 3.6, said that there was some contradiction between article 3 of the Convention and New Zealand's provisions on national security, which appeared to take precedence, allowing for a person to be denied refugee status on the ground of national security even though he might be tortured on return to his own country. Could he not, in such cases, be expelled to another country that might be prepared to accept him? Referring to paragraph 8.2 concerning the extradition of persons suspected of acts of torture, he asked how New Zealand implemented its obligations under article 8, paragraphs 2 and 3, of the Convention in the light of what was said in that paragraph. Similarly, with regard to paragraph 9.1 referring to the draft bill on mutual assistance in criminal matters, how did it meet its obligations under article 9 vis-à-vis States parties to the Convention that were not members of the Commonwealth or not prescribed by the Minister of Justice?

52. Referring to the statement in paragraph 15.1 that section 20 of the Evidence Act 1908 gave a judge the discretion to admit a confession in evidence notwithstanding the fact that a threat had been held out to the person confessing, he pointed out that a threat could constitute torture. For example, parents might be threatened with the torture of their children and such a threat would amount to torture of the parents.

53. Turning to paragraph 14.3 of the report, he asked whether the reservation to article 14 of the Convention making the award of compensation to torture victims subject to the discretion of the Attorney-General was not incompatible

with article 19 (b) of the Vienna Convention on the Law of Treaties, which provided that a State could make only specified reservations - since those specified reservations did not include the reservation to article 14 of the Convention.

54. Mr. Bisley, Mr. Rider, Ms. Bilkey and Ms. Barker (New Zealand) withdrew.

The meeting was suspended at 11.30 a.m. and resumed at 11.55 a.m.

PREPARATORY ACTIVITIES RELATING TO THE WORLD CONFERENCE ON HUMAN RIGHTS (agenda item 7) (continued)

55. The CHAIRMAN said that further discussion of participation in preparations for the World Conference on Human Rights would be easier if the Committee had some idea of the budget for activities under the Convention. He called on the Secretary of the Committee to provide some indicative figures.

56. Mr. BRUNI (Secretary of the Committee) said that, according to the most recent information, there had been a credit balance of some $330,000 in the budget at the beginning of September 1992. That amount would, of course, have been reduced by expenses in connection with activities under article 20 of the Convention and the holding of the present session of the Committee; further expenses must be expected before the end of the year.

57. The CHAIRMAN said that the expenses mentioned by Mr. Bruni might be offset by payments due from States parties.

58. Mr. BRUNI (Secretary of the Committee), replying to a question by Mr. KHITRIN concerning the cost of sessions of the Committee, drew attention to document CAT/SP/11, which had been prepared for the third meeting of States parties and contained detailed breakdowns of past expenses and contributions and estimated future costs. It showed, for example, that the estimated programme budget of the Committee for the fifth financial period (1 January-31 December 1992) had been approximately $2 million; the eighth session of the Committee had been budgeted at some $720,000 and the ninth at almost $600,000; the latter figure was likely to be exceeded as a result of the cost of translation and document reproduction, which had been higher than anticipated.

59. In reply to a question by Mr. BURNS, he said that the cost of missions by members of the Committee in connection with the implementation of article 20 was estimated at approximately $55,000. That was, however only one of the activities under that heading: the preparation and translation of documents, the analysis of material and other activities must also be taken into account. Total costs were not yet available, since the activities would continue to be carried out until the end of the financial period.

60. In reply to a question by Mr. BEN AMMAR, he said that, as shown by document CAT/SP/11, the estimated programme budget for the sixth financial period, which the third meeting of States parties had partially endorsed, amounted to about $2,100,000. That included the cost of the fourth meeting of States parties.

61. Mr. SORENSEN said that the cost of missions ($55,000) by members of the Committee should be taken into account by persons concerned with the cost of a draft optional protocol to the Convention, on which he believed that the Committee's money would be well spent.

62. The CHAIRMAN said that, although the financial situation was far from brilliant, it did not appear to compromise the Committee's participation in regional preparatory meetings for the World Conference.

63. Mr. BRUNI (Secretary of the Committee) drew attention to the fact that, at the beginning of September 1992, arrears of contributions by States parties had amounted to some $1,200,000.

64. Mr. BURNS said that participation in future regional preparatory meetings for the World Conference was still very much an open question.

65. The CHAIRMAN invited Mr. Pace, Coordinator for the World Conference on Human Rights, to describe the arrangements for the participation of the human rights treaty bodies in the preparations for the World Conference on Human Rights.

66. Mr. PACE (Coordinator for the World Conference on Human Rights) said that the treaty bodies were regarded as one of the four main groups of interlocutors at the World Conference, the others being Governments, non-governmental organizations and national institutions dealing with human rights. Provision had been made by the Secretariat for their active participation at all levels of the preparations for the Conference; their role would depend on the agendas of the different preparatory meeting.

67. So far, the Preparatory Committee for the World Conference had been concerned mainly with procedural and political matters; that went some way towards explaining the dissatisfaction expressed by bodies dealing with substantive human rights matters, for example, at the recent meeting of Chairpersons of human rights treaty bodies. In that connection he understood Mr. Sorensen's disappointment about the third session of the Preparatory Committee which had been a difficult one. As the preparatory process moved into what he called a more "substantive mode", however, the treaty bodies would undoubtedly be called on to make contributions that would help make the World Conference a success.

68. Making statements at preparatory meetings was only one type of contribution. Interaction between the four groups of interlocutors he had mentioned during the Conference itself was more important and various arrangements were being made for that purpose.

69. A draft resolution with more than 100 sponsors, to be discussed by the United Nations General Assembly in a few days' time, contained a draft provisional agenda for the Conference. If that resolution was adopted, the fourth session of the Preparatory Committee would be held one month later than at present scheduled, in April 1993. The dates of the World Conference remained as planned (14-25 June 1993). A regional preparatory conference for Latin America and the Caribbean was scheduled in San José, Costa Rica, from 18 to 22 January. The Asian regional meeting might be expected to be held

during the second half of March in Bangkok. He had provided those details so that the Committee against Torture would have a time-frame in which to make its own plans.

70. For the World Conference, a management committee with a number of subcommittees had been set up under his own responsibility. The Secretariat would appreciate the opportunity of establishing a relatively informal consultation mechanism designed to ensure that input from the treaty bodies was fitted properly into the overall format of the Conference.

71. He welcomed the outcome of the regional preparatory meeting held recently in Tunis, but noted with regret that none of the treaty bodies had been represented. It was to be hoped that the shortcoming would be remedied at the other regional meetings.

72. The Secretariat was actively preparing and assembling documentation from a variety of sources for the forthcoming preparatory meetings and especially for the fourth session of the Preparatory Committee, which would be what he described as "heavily substantive". Any submission by the Committee against Torture would be most welcome.

73. With regard to financial matters, the budget of the Conference did not stretch to providing financial assistance for the participation of treaty bodies and other organizations. Under the arrangements made by the Centre for Human Rights, the participation of the Chairpersons of treaty bodies, special rapporteurs and the Chairmen of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities would be financed through the relevant sectors of the Centre's budget.

74. The regional meeting which would be held in San José, Costa Rica, had been organized along the same lines as that held in Tunis. Simultaneous interpretation would be provided and the documentation, which had been prepared in consultation with the Latin American Group, would be issued in English and Spanish. The meeting would last two weeks.

75. Mr. EL IBRASHI asked what the Committee's status was when it took part in regional meetings and whether it would be able to participate in the discussions at the World Conference. In his view, the Committee had every right to attend, and to speak at, that Conference.

76. Mr. PACE (Coordinator for the World Conference on Human Rights) said that the participation of treaty bodies was governed by the rules of procedure which applied to regional meetings. They were invited to make statements on agenda items. There was a standard format for the agenda of regional meetings which made provision for sub-items of particular interest to the region in question. The regional bias of the agenda depended entirely on which region was under discussion. For the African region, for example, topics such as racism and xenophobia were likely to be included. A number of agenda items would relate to substantive issues, such as the international application of standards. It was in that connection that the participation of the Committee against Torture could be of particular importance, given its expertise. The

importance of its input and that of other treaty bodies should be borne in mind by the Committee when it decided whether or not it would participate in regional meetings.

77. In the plenary meetings of the World Conference, the Committee and other treaty bodies would be able to participate freely in all discussions. He nevertheless stressed that the Committee and other treaty bodies could have more of an impact in drafting committees when discussions focused on specific proposals. As suggested in the report of the meeting of Chairpersons of the treaty bodies, the Committee should look at how it could contribute to the work of the Conference through consultations. It had been suggested that the Chairpersons might hold a special meeting to discuss how the treaty bodies might adopt a homogeneous approach.

78. The task of the management committee to which he had referred was to look at the logistics of the Conference and at the range of activities to be carried out, bearing in mind the organizations that were involved. It was also responsible for ensuring that links were established between the treaty bodies, national institutions and non-governmental organizations, as well as for activities related to the plenary.

79. The CHAIRMAN said that, before any decision could be taken by the Committee on its participation in regional meetings and the World Conference, an estimate of the cost involved had to be prepared in accordance with rule 25 of the rules of procedure.

80. Mr. SORENSEN said that he had recently returned from Guatemala, where he had attended a seminar for medical personnel and associations responsible for treating victims of torture. The visit had been given broad coverage and participants in the seminar had been interviewed on television. Such visits could be dangerous, however, as shown by the fact that the persons who had interviewed the participants had later been attacked.

81. The fourth session of the Preparatory Committee for the World Conference on Human Rights was of such great importance that he would attend it, even though it coincided with the spring session of the Committee against Torture.

82. The CHAIRMAN said that, since the Committee's annual report would be prepared at the spring session, there would be a few days when meetings would not be held. Mr. Sorensen would thus have time to attend meetings of the Preparatory Committee.

83. Mr. BURNS said he did not agree that the Committee should spend valuable and limited resources on financing participation in such meetings. The Committee had a specific aim which was stated in the Convention and reflected in the procedures set up under the Convention. By its very nature, however, the World Conference on Human Rights would deal with issues in general terms. There would be no scientific papers such as the ones prepared for smaller groups. The material produced would be distributed to a large audience, but there was little hope of converting anyone. He was not even sure that the Committee had enough money to finance participation in the World Conference.

The training seminar in Guatemala to which Mr. Sorensen had referred was the kind of meeting on which the Committee should be spending its money. He could thus agree that members of the Committee should attend regional meetings and represent the Committee only if additional sources of financing could be found.

84. Mr. BEN AMMAR said that he had been able to attend regional meetings on behalf of the non-governmental organization he represented and had taken the opportunity at such meetings to speak on matters of concern to the Committee.

The meeting rose at 1 p.m.